

2004 JANUARY - FEBRUARY - MARCH Quarterly Report

Report suspected abuse of persons with disabilities to the DPPC 24 hour Hotline 1-800-426-9009 V/TTY





he Disabled Persons Protection Commission (DPPC) would like to take this opportunity to thank Governor Mitt Romney and the House and Senate members for their ongoing commitment and support in protecting adults with disabilities against abuse and mistreatment within the Commonwealth of Massachusetts. Their support is immensely appreciated.

Every month, the DPPC receives hundreds of abuse reports. These reports are maintained and tracked using an extensive computer database. In the DPPC database, over 500 pieces of information related to each report are maintained. The information ranges from basic demographic information regarding the people involved, including the victim, to specific information about the site of the alleged abuse and other factors that may have contributed to the abuse. The DPPC tracks different types of injury, and information about whether an injury was caused by abuse or neglect. In addition to the hundreds of other categories, the DPPC tracks whether the alleged abuse or neglect reported represents a crime. Information in the database is analyzed continually in an effort to identify potential preventative measures to be implemented and/ or, trends and systemic challenges needing attention. On a quarterly basis a portion of the data is calculated and provided for review. In addition to providing the quarterly statistical data, for those of you who are not familiar with the DPPC, this report also presents the history, mission and overall operations of the Agency.

The DPPC was created through legislation in 1987 as an independent state agency responsible for the investigation and remediation of instances of abuse against persons with disabilities. The mission of the DPPC is to protect adults with disabilities from the abusive acts and omissions of their caregivers through investigation, oversight, public awareness and abuse prevention. Pursuant to its enabling statute, M.G.L. c. 19C, the jurisdiction of the DPPC extends to adults with disabilities between the ages of 18 and 59 who suffer serious physical and/or emotional injury through an act and/or omission by their caretaker(s). This protection is provided whether the individual is in state care or in a private setting.

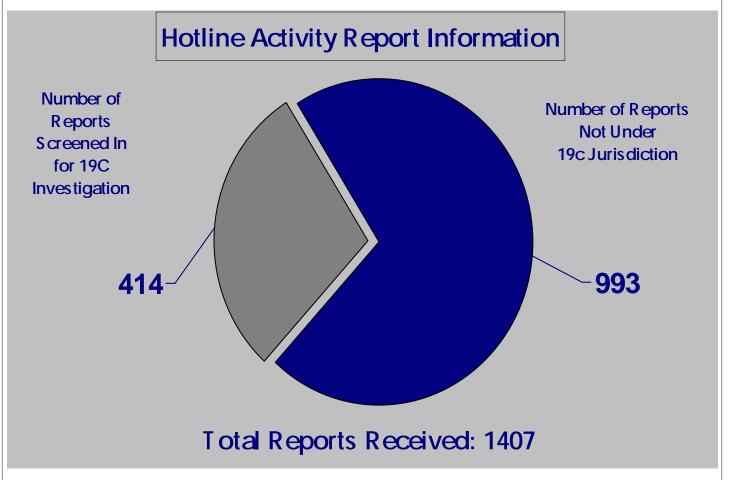
Although an independent agency, DPPC was designed to be one of a number of agencies with complementary missions, including, but not limited to the Executive Office of Elder Affairs, Department of Social Services, Department of Mental Retardation, Department of Mental Health, Massachusetts Rehabilitation Commission and the local and state police. Replacing none of them, the DPPC was designed to closely coordinate its work with all. The Commission, similar to the Department of Social Services for children and the Executive Office of Elder Affairs for elders, acts to protect adults with disabilities who are dependent on others to meet a daily living need. DPPC fills the gap between the child protection and elder protection systems.

DPPC is a small agency, located in Quincy, MA. It has a staff of **23** full time employees including **three** investigators, **two** law enforcement liaisons, **five** oversight officers and **three** hotline operators. The DPPC is comprised of six functions including Prevention, Intake/Oversight, Investigation, Legal, Information Technology and Administration and Finance. During fiscal year 1998, a State Police Detective Unit (SPDU) was established within the Commission. The SPDU is comprised of a Lieutenant, Sergeant and three troopers. The SPDU is physically located within the offices of the DPPC.

HOTLINE

The DPPC Hotline receives reports 24 hours per day, seven days per week, at 1-800-426-9009. During this quarter the Commission received 1407 reports of abuse. In addition, DPPC staff responded to approximately 1574 referral and informational requests. Every abuse report made to the Hotline is reviewed pursuant to the DPPC screening criteria. A determination is made regarding whether the report represents an emergency or non-emergency, and then, whether the situation meets the agency's jurisdictional criteria. During this quarter of the fiscal year, 414 of the reports to the DPPC Hotline were assigned for 19C investigation. Also during this quarter of the fiscal year, 993 reports not within the iurisdiction of the Commission were forwarded to the appropriate state agency for review and action as necessary.





During this quarter of the fiscal year, one report received by the DPPC Hotline was identified as a malicious report.

INVESTIGATION UNIT

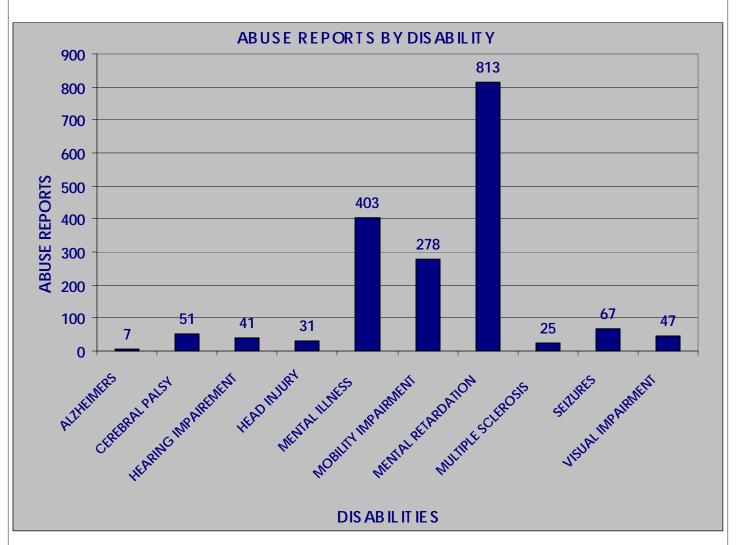
Reports of alleged abuse determined to be within the jurisdiction of the Commission are immediately assigned to a 19C Investigator and a DPPC Oversight Officer. The 19C Investigator may be one of DPPC's **three** Investigators or an Investigator from the Department of Mental Retardation (DMR), Department of Mental Health (DMH) or the Massachusetts Rehabilitation Commission (MRC). The DPPC Investigation Unit and the Investigation Units of DMR, DMH and MRC conduct abuse investigations under the authority of M.G.L. c. 19C. The primary focus of all 19C investigations is the protection of vulnerable individuals. Investigators also look for systemic issues that may contribute or lead to abuse.



OVERSIGHT UNIT

The DPPC Oversight Unit is responsible for monitoring all 19C investigations. Every case, whether investigated by DPPC, DMR, DMH or MRC, is monitored by one of DPPC's **five** Oversight Officers or **two** Law Enforcement Liaisons to ensure that the victim is safe, the report is timely and the investigation is thorough. In cases where abuse by a caretaker has been substantiated, protective services are provided by the respective service-providing agency, DMR, DMH or MRC. To confirm that necessary protective services are implemented, the DPPC Oversight Officers and Law Enforcement Liaisons monitor cases until risk of harm to the victim is reduced or eliminated.

The DPPC protects individuals with any type of disability. This chart illustrates abuse reports to the DPPC Hotline by disability for this quarter.



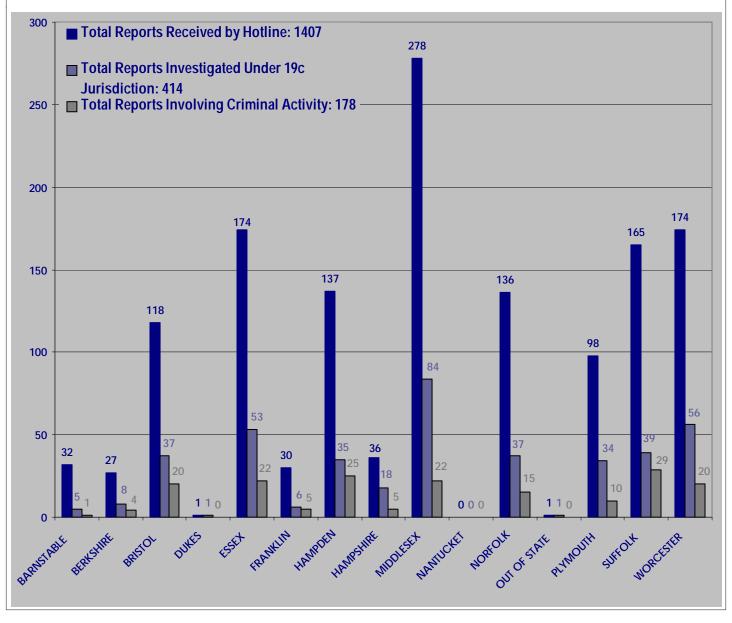
The total number of disabilities listed in this chart exceeds the total number of abuse reports to the DPPC Hotline because some individuals are diagnosed with more than one disability.



STATE POLICE DETECTIVE UNIT

The troopers of the SPDU review 100% of the complaints received by the Commission to determine which of these complaints constitute criminal activity against a person with a disability. Within this quarter the SPDU reviewed 1407 allegations of abuse. Of the 1407 reports reviewed, 178 or 12.7% were referred to the District Attorney for criminal investigation. The following graph is a breakdown by county of the number of reports received by the DPPC Hotline, reports meeting the jurisdiction for 19C investigation, and the number of reports referred to the District Attorney for criminal investigation.

Disabled Persons Protection Commission 19C Criminal Reports by County January 1, 2004 through March 31, 2004







MASSACHUSETTS STATE POLICE

The Massachusetts State Police Detective Unit (SPDU) assigned to the DPPC analyzes the types of crimes involved in the abuse reports received by the DPPC Hotline. This chart presents the types of criminal activity reported. Consistently a significant percentage of the criminal activity is sexual in nature.

Criminal Activity Report January - February - March 2004

CRIMINAL ACTIVITY	MONTHLY TOTALS			QUARTER TOTALS
	JAN	ÆB	MARCH	
ASSAULT & BATTERY	28	21	27	76
DEATH	0	1	1	2
LARCENY	5	10	2	17
RAPE	9	11	15	35
SEXUAL ASSAULT	12	9	24	45
OTHER	1	1	1	3
TOTALS	55	53	70	178

Often reports to the DPPC Hotline involve domestic violence. Domestic violence is abuse that often takes place where the person lives. Domestic violence can be any type of abuse including sexual assualt and rape, emotional, psychological or financial. Domestic violence involves "family and household members" who are or were married, living together, related by blood, parents of a common child or involved in a substantive dating relationship. During this quarter it was determined that **42** reports made to the DPPC Hotline involved domestic violence abuse.



LEGAL UNIT

The DPPC's Legal Unit is comprised of a General Counsel, and a Deputy General Counsel. The Legal Unit provides legal advice and guidance on matters before the Commission. This includes assistance provided to Commission staff and staff of the Department of Mental Retardation, the Department of Mental Health and the Massachusetts Rehabilitation Commission.

In addition the Legal Unit performs the following functions within the Commission:

- Secures Access Warrants when law enforcement and/or 19C investigators are unreasonably denied access to an alleged victim of abuse.
- Obtains judicial Protective Orders when an alleged victim of abuse is at immediate risk of harm and is not able to consent to the provision of protective services due to a mental or physical impairment.
- Investigates complaints of retaliation against reporters of abuse and participates in M.G.L. c. 19C investigations.
- Responds to reports of Mandated Reporters' failure to report abuse as required by M.G.L. c. 19C §10.
- Conducts all appeal reviews for the Executive Director. The alleged victim, the alleged abuser and other parties involved in an investigation, can request a review of the findings. Upon conclusion of the appeal process, the investigation report is amended if the objection is found to be meritorious. The DPPC received 24 appeals during this quarter.
- Acts as the Commission's Keeper of the Record and ensures that all responses to requests for Commission records are compliant with all statutory requirements.

ABUSE PREVENTION UNIT

Each person employed within the DPPC shares the responsibility for prevention activities. DPPC continues to identify ways in which it can work effectively to educate direct care staff, others working with persons with disabilities and the public about the prevalence of abuse of persons with disabilities. The DPPC's abuse prevention goal is to increase awareness of the prevalence of abuse/neglect being committed against persons with disabilities and to make everyone aware of the important role they can perform in preventing or stopping this abuse. The DPPC Prevention Unit distributes 19C informational materials and conducts training on an ongoing basis. The charts below depict the prevention activities for this quarter of the fiscal year.

PROFESSIONALS TRAINED

MATERIALS DISTRIBUTED

POLICE	148	POLICE	2230
MEDICAL	30	MEDICAL	426
DIRECT CARE	825	DIRECT CARE	12,279
OTHER	0	OTHER	1,142
TOTAL	1003	TOTAL	16077

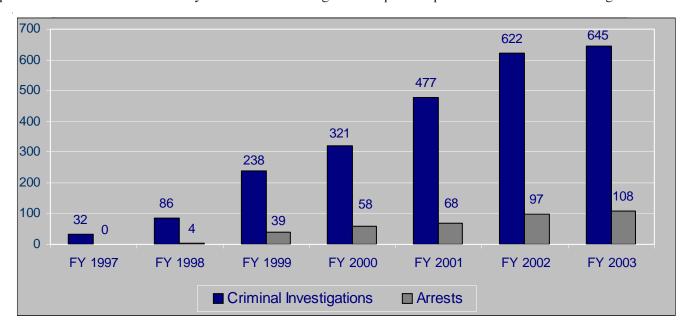


MASSACHUSETTS AGENCIES PARTNER FOR CRIME VICTIMS WITH DISABILITIES

In May of 1999 a partnership was formed in Massachusetts between law enforcement and human service agencies in an effort to effectively and efficiently address abuse, neglect and crimes committed against persons with disabilities. "Building Partnerships for the Protection of Persons with Disabilities," is a unique initiative which affords equal access to the criminal justice system for crime victims with disabilities. The initiative, which uses a multidisciplinary approach to address crimes against persons with disabilities, was conceived and implemented thanks to the foresight of Elizabeth D. Scheibel, District Attorney of the Northwestern District and Gerald J. Morrissey, Jr., Commissioner of the Department of Mental Retardation (DMR), through the commitment of the Disabled Persons Protection Commission (DPPC) and through the support of the Executive Office of Health and Human Services (EOHHS). The statewide partnership is funded through an Executive Office of Public Safety (EOPS) Byrne grant and administered by the Massachusetts District Attorneys' Association (MDAA).

The partnership initative brings together, through formal Memorandums of Understanding (MOU) with each District Attorney, the human service and law enforcement communities in each county. The goals of the initiative are to provide protection, treatment and continuity of care for persons with disabilities who are victims of a crime; to increase awareness of crimes being committed against persons with disabilities; to increase communication and cooperation between law enforcement and agencies providing services to persons with disabilities; and to ensure that crimes committed against persons with disabilities are promptly reported, investigated by trained law enforcement personnel and prosecuted when appropriate.

With the inception of the MOU, in FY 2003, 645 cases were investigated criminally resulting in at least 108 criminal complaints. Of those 645 criminal cases, 313 were crimes of a sexual nature. The following graph depicts the increase in abuse reports referred to the district attorneys for criminal investigation and possible prosecution for FY 1997 through 2003.



MITT ROMNEY **GOVERNOR**

KERRY HEALY LT. GOVERNOR

NANCY A. ALTERIO EXECUTIVE DIRECTOR

The DPPC's staff thanks you for taking the time to review this quarterly report. If you have questions or require additional information, please do not hesitate to contact the DPPC, at (617) 727-6465.

The Commonwealth of Massachusetts
Disabled Persons Protection Commission

50 Ross Way - Quincy, MA 02169 Office Hours: 8:45 am - 5:00 pm Monday - Friday (617) 727-6465 V/TTY (800) 245-0062 (617) 727-6469 FAX 24 - Hour HOTLINE: (800) 426-9009 V/TTY WEBSITE: http://www.state.ma.us/dppc Jack L. McCarthy Chairman

Carla A. Goodwin, Ph.D. Commissioner

James M. Borghesani Commissioner